

NOV-30-00 THU 02:21 PM HARRISBURG

FAX NO. 917172213959

P. 02
(4)
11-30-00IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEROME K. HOLMES,

CIVIL ACTION NO. 1:CV-00-1942

Petitioner

v.

ROBERT SHANNON,

(Judge Rambo)

Respondent

FILED
HARRISBURG, PAO R D E RNOV 30 2000
MARY E. D'ANDREA, CLERK
Per *[Signature]*
Deputy Clerk

IT IS HEREBY ORDERED THAT:

1. The Clerk of Court is directed to serve a copy of the petition and this order by certified mail on the Attorney General of the Commonwealth of Pennsylvania and the District Attorney of Dauphin County.
2. Within 20 (twenty) days of the date of this order, Respondent shall answer the allegations in the petition for writ of habeas corpus. Consistent with Rule 5 of the Rules Governing § 2254 Cases in the United States Courts, the answer shall:
 - (a) state whether the Petitioner has exhausted state remedies available under state law with respect to each claim presented, including any post-conviction remedies;
 - (b) be accompanied by those portions of any transcripts the Respondent deems relevant to disposing of the claims raised in the petition;

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- (c) indicate what other proceedings that might be relevant to the petition have been recorded but have not yet been transcribed;
- (d) be accompanied by copies of any of the Petitioner's briefs on appeal, either from the judgment of conviction or from an adverse decision in a post-conviction proceeding; copies of any opinions of the appellate courts in those proceedings; and any PCRA petitions.

3. Respondent shall file a memorandum of law with the answer. The memorandum shall set forth the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law.

4. Petitioner shall, if he so desires file a reply brief within 15 (fifteen) days of receipt of the Respondent's filings.

5. A determination whether Petitioner should be produced for a hearing will be held in abeyance pending the filing of Respondent's answer and memorandum of law, and, if any, the Petitioner's reply.



Sylvia H. Rambo
United States District Judge

Dated: November 30, 2000.
SR:jq

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

November 30, 2000

Re: 1:00-cv-01942 Holmes v. Shannon

True and correct copies of the attached were mailed by the clerk to the following:

Jerome K. Holmes
SCI-MAHANOY
DJ-3328
Mahanoy State Correctional Inst.
301 Morea Rd.
Frackville, PA 17931

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
Article Sent To:	
EDWARD M. MARSICO	
7099 3220 0004 3317 2554	Postage \$
	Certified Fee
	Return Receipt Fee (Endorsement Required)
	Restricted Delivery Fee (Endorsement Required)
	Total Postage & Fees \$
Postmark Here	
Name (Please Print Clearly) (To be completed by maller) Edward M. MARSICO	
Street, Apt. No., or PO Box No. Front's Market Sts.	
City, State, ZIP+4 Harrisburg, Pa 17101	
PS Form 3800, July 1993 See Reverse for Instructions	

CC:
 Judge ()
 Magistrate Judge ()
 U.S. Marshal ()
 Probation ()
 U.S. Attorney ()
 Atty. for Deft. ()
 Defendant ()
 Warden ()
 Bureau of Prisons ()
 Ct Reporter ()
 Ctroom Deputy ()
 Orig-Security ()
 Federal Public Defender ()
 Summons Issued () with N/C attached to complt. and served by:
 U.S. Marshal () Pltf's Attorney ()
 Standard Order 93-5 (X) with Petition attached & mailed certified mail
 Order to Show Cause to: US Atty Gen () PA Atty Gen (✓) Respondents ()
 DA of County ()
 Bankruptcy Court ()
 Other _____

MARY E. D'ANDREA, Clerk

DATE: 11/30/00

BY: R
Deputy Clerk

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

CLERK'S OFFICE
HARRISBURG DIVISION



Mary D'Andrea, Clerk

To: Lois Fuller (Laurie Quinn)
FROM: Mark

COMMENTS: Order to show cause.
Not docketed. Original to be sent
in today's mail.

THIS FACSIMILE CONTAINS A TOTAL OF 3 PAGES INCLUDING THIS SHEET.

PLEASE CALL IF THIS FAX IS
INCOMPLETE.
PHONE NUMBER: (717) 221-3920
FAX NUMBER: (717) 221-3959

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG, PENNSYLVANIA 17108